

KAREN J. BLAKEMORE  
(225) 376-0256  
karen.blakemore@phelps.com

May 1, 2015

**RECEIVED**  
**15 MAY -4 PM 2: 17**  
**SUPERFUND DIV.**  
**DIRECTOR'S OFC.**

14408-0003

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Mr. Robert Werner  
Enforcement Officer (6SF-TE)  
U. S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202

Re: Plaquemine Point Shipyard, LLC's Response to EPA's General Notice Letter for the CES Environmental Services, Inc. - Houston Superfund Site in Houston, Harris County, Texas

Dear Mr. Werner:

We write on behalf of Plaquemine Point Shipyard, LLC ("PPSLLC") regarding the referenced General Notice Letter for the CES Environmental Services, Inc. - Houston Superfund Site (the "Site"). The General Notice Letter was issued February 27, 2015, and received by PPSLLC on March 3, 2015. The General Notice Letter identifies PPSLLC as a Site PRP and requests that PPSLLC indicate, in writing, its willingness to join in settlement negotiations with EPA and cooperate in the on-going removal action at the Site. The purpose of this letter is to provide that response.

On August 28, 2014, the Texas Commission on Environmental Quality ("TCEQ") issued a Request for Information to PPSLLC relating to the Site. A detailed description of Plaquemine Point Shipyard in Sunshine, Louisiana (the "Shipyard") and its historic relationship with the Site was provided to TCEQ in correspondence dated December 8, 2014 (the "TCEQ Letter") (copy enclosed).

According to waste receipt reports received from TCEQ, the Evidentiary Documentation provided in EPA's General Notice Letter, and our review of available records, no waste shipments from the Shipyard were received at the Site later than February 23, 2010.

Although PPSLLC currently owns and operates the Shipyard, it neither existed, nor owned or operated the Shipyard, when the subject waste shipments from the Shipyard were received at the Site for disposal or recycle. PPSLLC is a single-member limited liability

Mr. Robert Werner, EPA - CES Site

May 1, 2015

Page 2

company which came into existence on April 15, 2010. It acquired ownership and operational control of the Shipyard on April 23, 2010. Additionally, PPSLLC neither arranged for nor transported wastes to the Site.

Prior to its acquisition by PPSLLC, the Shipyard was owned by Plaquemine Towing Corporation ("PTC"). PTC was formed in 1951 by George Banta, John Merlin Banta, and Frank Banta, Sr. The same three individuals created Plaquemine Point Shipyard, Inc. ("PPS, Inc.") on July 28, 1989 to acquire certain Shipyard assets. PPS, Inc. was renamed Old Plaquemine Point Shipyard, Inc. ("Old PPS") on April 15, 2010, and was dissolved on December 13, 2012. PTC owned and operated the Shipyard until its sale to PPSLLC on April 23, 2010. Old PPS was formed to operate a particular segment of the Shipyard, but it is believed that the plan never came to fruition. Old PPS also sold all its assets to PPSLLC out of an abundance of caution on April 23, 2010. For a more detailed discussion of the ownership and operations of the Shipyard, please see the enclosed TCEQ Letter.

PPSLLC is not a parent, subsidiary, or sister entity to and is not otherwise affiliated with PTC or PPS, Inc./Old PPS. At all times pre- and post-acquisition of the Shipyard by PPSLLC, all referenced entities have maintained their respective corporate formalities and operated as distinct legal entities.

PPSLLC is not a potentially responsible party ("PRP") under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") because: (1) it is not a current or former owner or operator of the Site; (2) it did not contract, agree, or otherwise arrange for disposal or treatment of waste at the Site; and (3) it did not contract, agree, or otherwise arrange for the transportation of waste to the Site.

Because PPSLLC is not a PRP under CERCLA, PPSLLC declines the invitation to join in settlement negotiations with EPA or assist in the removal action at the Site. We understand EPA's need to move forward with its removal action and will notify EPA and TCEQ if new information warrants a change in our position.

Please contact me at 225-376-0256 or Ben Anderson at 225-376-0254 if you have any questions.

Sincerely,



Karen J. Blakemore

KB:BMA  
Enclosures

cc: Frank Banta, Jr.  
Ben Anderson



RECEIVED

15 MAY -4 PM 2:17

SUPERFUND DIV.  
DIRECTOR'S OFC.

PATRICK O'HARA  
Counsel  
patrick.ohara@phelps.com

December 8, 2014

14408-0003

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED:**  
**Article No. 7012 1010 0002 3043 2693**

Mr. Terry Andrews  
Project Manager  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC-136  
Austin, Texas 78711-3087

Re: CES Environmental Services (SWR # 30900)  
Plaquemine Point Shipyard, LLC  
Response to Request for Information Regarding Historic Relationship to CES Site

Dear Mr. Andrews:

We write on behalf of Plaquemine Point Shipyard, LLC ("PPS") in response to TCEQ's August 28, 2014 Request for Information related to the CES Environmental Services Inc. Facility ("CES Site") in Houston, Texas. On September 26, 2014, PPS submitted an initial response to TCEQ's request and declined the opportunity to undertake corrective actions at the CES Site (see Attachment 1). We appreciate your granting an extension for PPS to respond with additional information regarding Plaquemine Point Shipyard's (the "Shipyard") historic relationship to the CES Site. The purpose of this communication is to provide that response.

According to our review of the 2009 and 2010 waste receipt reports you provided on September 15, 2014, waste shipments from the Shipyard were received at the CES Site between November 6, 2009 and February 23, 2010. We requested the TCEQ provide copies of the manifests listed in the waste receipt reports, but were told that all such records were still in EPA's possession.

PPS did not own or operate the Shipyard at the time of waste generation or its disposal/recycle at the CES Site. Plaquemine Towing Corporation ("PTC") owned the Shipyard from August 2, 1985 until April 23, 2010. PPS was formed as a single-member limited liability corporation on April 15, 2010 and acquired ownership of the Shipyard on April 23, 2010 (see Attachments 2 and 3).

COUNSELORS AT LAW

11 City Plaza | 400 Convention Street, Suite 1100 | Baton Rouge, Louisiana 70802-5618 | Post Office Box 4412 | Baton Rouge, Louisiana 70821-4412  
225-346-0285 | 225-381-9197 Fax | phelpsdunbar.com

Although PPS was not involved in the handling of PTC's waste materials, we provide the following information regarding waste generated at the Shipyard during PTC's ownership and operation, including the transportation of such waste to the CES Site for disposal and/or recycle. PPS reviewed available information and provides the following based on the best of our knowledge.

### **Waste and Invoice Descriptions**

On or about October 2009, PTC engaged CES to handle waste water from certain barges and vessels located at the Shipyard. Specifically, CES was contracted to transport non-hazardous class I sludge to the CES Site for disposal and to transport oily water for recycle. Although PPS was not able to locate the manifests for these waste shipments, copies of relevant CES invoices are attached to this response and described below:

- **CES Invoice Set 1:** CES Invoices 58614 through 58617 are for transportation and recycle of oily water. The work described in the invoices was conducted between October 12 and October 15, 2009. These invoices were issued to Plaquemine Plant Shipyard. A portion of the payment was made via an offset arrangement between the Shipyard and CES. The balance remaining after offset (\$750.74) was paid in cash by Chem Carriers, LLC prior to PPS's purchase of the shipyard (see Attachment 4).<sup>1</sup>
- **CES Invoice Set 2:** CES Invoices 58618, 58656-58658, 58675, 58676, 58903, 58955, 59211-59215, 59275-59277 are for transportation and recycle of oily water. The work described in the invoices was conducted between October 19, 2009 and January 27, 2010. These invoices were re-issued to Chem Carriers, LLC for payment via cash and the offset arrangement described in more detail below (see Attachment 5).
- **CES Invoice Set 3:** CES Invoices 59137, 59138, and 59345 are for waste characterization, transportation, and disposal of non-hazardous class I sludge generated at the Shipyard. The work described in the invoices was conducted between November 6, 2009 and February 23, 2010. These invoices include 18 of the 19 waste shipments listed on the spreadsheet you provided September 15. PPS was not able to locate the invoice for the shipment listed on TCEQ's spreadsheet as Manifest No. 005793671JJK, received by CES on February 23, 2010. These invoices were re-issued to Chem Carriers for payment via offset and cash (see Attachment 5).

### **Ownership Background of Business Entities Related to the Shipyard Waste**

PTC was started in 1951 by George Banta, John Merlin Banta, and Frank Banta, Sr. On or about August 2, 1985, PTC acquired ownership of the Shipyard from Baton Rouge Marine Enterprises, Inc. The same three Banta brothers created Plaquemine Point Shipyard, Inc. ("PPS, Inc.") in July 28, 1989 to acquire ownership rights of certain Shipyard assets. PPS, Inc. was renamed Old Plaquemine Point Shipyard, Inc. ("Old PPS") on April 15, 2010 and the entity was

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<sup>1</sup> A note at the bottom of each invoice incorrectly identifies Plaquemine Point Shipyard, LLC, rather than Plaquemine Point Shipyard, Inc. as the entity involved with an offset arrangement.

dissolved December 13, 2012. PTC (and PPS, Inc./Old PPS) owned and operated the Shipyard until its sale to PPS in April 2010.

On November 15, 1994, Frank Banta, Jr. formed Chem Carriers, LLC ("Chem Carriers") as a single-member LLC. Chem Carriers is an inland marine liquid transportation business operating a fleet of barges and towboats. Unrelated to Shipyard operations and PTC's contract with CES for the handling of Shipyard waste, Chem Carriers had a business relationship with CES. Specifically, CES chartered barges from Chem Carriers and by October 1, 2009, CES was indebted to Chem Carriers for a significant amount relating to such charters.

By October 2009, PPS was being formed with the intent of purchasing the Shipyard. Frank Banta, Jr., PPS's sole-member, was made aware that PTC engaged CES to handle Shipyard-generated waste prior to the anticipated sale of the Shipyard to PPS. As manager of Chem Carriers, Frank Banta, Jr. was also aware of CES's indebtedness to Chem Carriers.

After CES completed the transport and disposal/recycle of Shipyard waste pursuant to its contract with PTC, and in anticipation of PPS's purchase of the Shipyard, the following financial arrangement was made to reduce CES's indebtedness to Chem Carriers:

- (1) Chem Carriers assumed PTC's financial liability for payment of the \$750.74 outstanding balance on CES Invoice Set 1, and all outstanding balances on CES Invoice Sets 2 and 3, in exchange for a reduction in the purchase price to be paid by PPS to PTC at closing;
- (2) Chem Carriers and CES agreed that a portion of such payment on CES Invoice Sets 2 and 3 would be offset by the amount CES owed to Chem Carriers (see Attachment 5)<sup>2</sup>; and
- (3) PPS agreed to repay Chem Carriers the amount paid to CES (in offsets and cash) to resolve all CES invoices.

#### **Business Entities Associated with the CES Site**

PTC arranged for disposal of non-hazardous class I sludge and recycle of oily waste generated at the Shipyard, and transported by CES to the CES Site.

Although not a party to the contract between CES and PTC for the transportation, disposal, and/or recycling activities, Chem Carriers assumed the financial obligation to pay certain CES invoices for such services.

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<sup>2</sup> A fully executed copy of the agreement could not be located. Although CES signed the agreement April 7, 2010 (after waste disposal was complete), the effective date of the agreement was made retroactive to October 1, 2009 to ensure that financial responsibility for payment of the invoices encompassed the timeframe such obligations were incurred by PTC. CES re-issued the relevant invoices to Chem Carriers (See Exhibit A of Attachment 5) pursuant to the above described offset arrangement.

Mr. Terry Andrews, TCEQ  
December 8, 2014  
Page 4

Pursuant to TCEQ's request that PPS provide the name and address for any business associated with the CES Site, we provide the following:

Plaquemine Towing Corporation  
c/o Steve LaPlace  
1243 Highway 75  
Sunshine, LA 70780

Chem Carriers, LLC  
c/o Frank Banta, Jr.  
1237 Highway 75  
Sunshine, LA 70780

We reiterate that PPS did not own the Shipyard at the time of waste generation and was not involved in the transport or disposal of such waste. The information provided herein is based on the best of PPS' understanding and knowledge of these events. PPS will supplement this response if any additional information relating to the relationship between the Shipyard and the CES Site is located in the future.

Please contact me at 225-376-0221 or Karen Blakemore at 225-376-0256 if you have any questions.

Sincerely,



Patrick O'Hara

cc: Frank Banta, Jr.  
Karen Blakemore

List of Attachments:

- 1 – Plaquemine Point Shipyard, LLC's initial response to TCEQ, dated September 26, 2014.
- 2 – Louisiana Secretary of State Certificate for Plaquemine Point Shipyard, LLC.
- 3 – Bill of Sale for Shipyard Assets, dated April 23, 2010.
- 4 – CES Invoice Set 1.
- 5 – Service & Payment Agreement between Chem Carriers and CES, including Exhibit A.

**PHELPS DUNBAR**  
LLP

Louisiana | Mississippi | Texas | Florida | Alabama | North Carolina | London

PATRICK O'HARA  
Counsel  
patrick.ohara@phelps.com

September 26, 2014

14408-0003

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED:  
Article No. 70041160000326742182**

Mr. Terry Andrews  
Project Manager  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC-136  
Austin, Texas 78711-3087

Re: CES Environmental Services (SWR # 30900)  
Plaquemine Point Shipyard, LLC Response

Dear Mr. Andrews:

We write on behalf of Plaquemine Point Shipyard, LLC in response to TCEQ's August 28, 2014 Request for Information related to the CES Environmental Services Inc. Facility ("CES Site") in Houston, Texas. Thank you for the 30-day extension to submit the information regarding Plaquemine Point Shipyard, LLC's historical relationship to the Site. As you know, the extension of time did not apply to the 30-day deadline to indicate whether Plaquemine is willing to undertake corrective actions at the site. The purpose of this communication is to provide that response.

According to our review the 2009 and 2010 waste receipt reports you provided on September 15, 2014, the last waste shipment from the Plaquemine shipyard was received at the CES Site on February 23, 2010. We requested that TCEQ provide copies of the manifests listed in the waste receipt reports, but were told that all such records were still in EPA's possession.

Plaquemine Point Shipyard, LLC came into existence on April 15, 2010 and ownership of the shipyard was transferred to Plaquemine Point Shipyard, LLC on or about April 23, 2010. Although we have not been able to locate copies of manifests from the previous owner, our search for those and other relevant documents continues.

However, based on the information now available, Plaquemine Point Shipyard, LLC is not currently in a position to agree to fund or conduct cleanup activities at the CES Site. We understand TCEQ's need to move forward with the corrective action and will notify you if new information warrants a change in our position.

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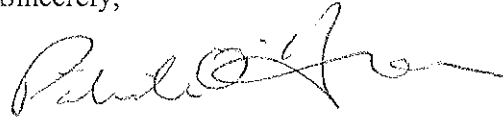
COUNSELORS AT LAW

11 City Plaza | 400 Convention Street, Suite 1100 | Baton Rouge, Louisiana 70802-5618 | Post Office Box 4412 | Baton Rouge, Louisiana 70821-4412  
225-346-0285 | 225-381-9197 Fax | phelpsdunbar.com

Mr. Terry Andrews, TCEQ  
September 26, 2014  
Page 2

Please contact me at 225-376-0221 or Karen Blakemore at 225-376-0256 if you have any questions.

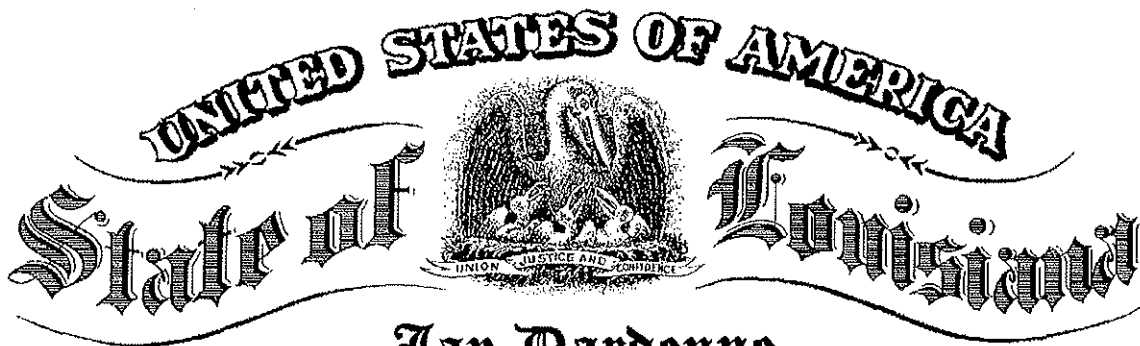
Sincerely,

A handwritten signature in black ink, appearing to read "Patrick O'Hara", with a stylized flourish at the end.

Patrick O'Hara

cc: Frank Banta, Jr.  
Karen Blakemore





**Jay Bardenne**

SECRETARY OF STATE

*As Secretary of State of the State of Louisiana I do hereby Certify that*

a copy of the Articles of Organization and Initial Report of

**PLAQUEMINE POINT SHIPYARD, L.L.C.**

Domiciled at SUNSHINE, LOUISIANA,

Was filed and recorded in this Office on April 15, 2010,

And all fees having been paid as required by law, the limited liability company is authorized to transact business in this State, subject to the restrictions imposed by law, including the provisions of R.S. Title 12, Chapter 22.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on,

April 16, 2010

*Secretary of State*

LC 40183566K



Certificate ID: 10061051#D3C30

To validate this certificate, visit the following web site, go to **Commercial Division, Certificate Validation**, then follow the instructions displayed.  
[www.sos.louisiana.gov](http://www.sos.louisiana.gov)

**BILL OF SALE  
(BARGES, EQUIPMENT AND MISCELLANEOUS ITEMS)**

BE IT KNOWN, that as of this 23 day of April, 2010, before me, the undersigned Notary Public duly commissioned and qualified, personally came and appeared:

**Plaquemine Towing Corporation**, a Louisiana corporation, whose mailing address is 1070 River Road, Sunshine, Louisiana 70780, represented herein by its duly authorized President, Frank W. Banta, Sr. ("PTC"); and

**Old Plaquemine Point Shipyard, Inc.**, a Louisiana corporation, whose mailing address is 1070 River Road, Sunshine, Louisiana 70780, represented herein by its duly authorized officer, George W. Banta ("Old PPS") (collectively, PTC and Old PPS are known as the "Seller");

and

**Plaquemine Point Shipyard, L.L.C.**, a Louisiana limited liability company, whose mailing address is 1247 Highway 75 Brookewood, Sunshine, Louisiana 70780, represented herein by its duly authorized Manager, Frank W. Banta, Jr. (the "Buyer")

who declared as follows:

1. Seller and Buyer entered into an Asset Purchase Agreement (the "Purchase Agreement"), dated as of July 8, 2009, for the sale of certain of Seller's assets, including without limitation those barges, equipment and miscellaneous items described on Exhibit A, to Buyer under the terms and conditions of the Purchase Agreement.
2. Seller is the owner of and has good and marketable title in and to the barges, equipment and miscellaneous items described on Exhibit A hereto and has good right, full power and lawful authority to grant, bargain, sell and convey the property described on Exhibit A to Buyer.
3. Seller has agreed to and does hereby sell, transfer, assign, set over and deliver unto Buyer all of its barges, equipment and miscellaneous items described on Exhibit A, but not the excluded assets described on Exhibit B, in consideration of the sum of ten dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is acknowledged by Seller.
4. This sale is made with full warranty of title and with warranty that the property herein conveyed is free and clear from any and all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature whatsoever.

-signatures on following pages-

THUS DONE AND PASSED, in the Parish of East Baton Rouge, State of Louisiana, in the presence of the undersigned competent witnesses who have signed with said appearers and me, Notary, on this 23 day of April, 2010, after due reading of the whole.

WITNESSES:

George W. Banta  
Name: George W. Banta

Joyce Juneau  
Name: Joyce Juneau

Plaquemine Towing Corporation

By: Frank W. Banta Sr.  
Name: Frank W. Banta, Sr.  
Title: President

Old Plaquemine Point Shipyard, Inc.

By: Frank W. Banta Sr.  
Name: Frank W. Banta, Sr.  
Title: Authorized Officer

Jeffrey M. Barbin  
Notary Public

Name: \_\_\_\_\_  
Not. Id./Bar Roll No.: \_\_\_\_\_  
Commission Exp.: \_\_\_\_\_

Jeffrey M. Barbin  
Bar Roll No. 25566  
Notary Public, State of Louisiana  
My Commission is for Life.

THUS DONE AND PASSED, in the Parish of East Baton Rouge, State of Louisiana, in the presence of the undersigned competent witnesses who have signed with said appearers and me, Notary, on this 23 day of April, 2010, after due reading of the whole.

WITNESSES:

George W. Banta  
Name: George W. Banta

Plaquemine Point Shipyard, L.L.C.

Joyce Juneau  
Name: Joyce Juneau

By: Frank W. Banta, Jr.  
Name: Frank W. Banta, Jr.  
Title: Manager

Jeffrey M. Darbin  
Notary Public  
Name: \_\_\_\_\_  
Not. Id./Bar Roll No.: \_\_\_\_\_  
Commission Exp.: \_\_\_\_\_

Jeffrey M. Darbin  
Bar Roll No. 25566  
Notary Public, State of Louisiana  
My Commission is for Life.

## EXHIBIT A

All barges, equipment and miscellaneous items, including without limitation the following:

1. Drydock
2. PPS 10
3. PPS 9
4. PPS 3
5. PPS 2
6. PPS 7
7. PPS 4-COE 606
8. PPS 5-COE 591
9. SB 2
10. PPS 6
11. PPS 13
12. PPS 14
13. PPS 15
14. PPS 16
15. PPS 11-H 103
16. Chotin 1546
17. PPS 17-Mobil 352
18. Apex 3002
19. John Deer 644B
20. Pettibone MDL 36
21. Office trailers



## **EXHIBIT B**

### **Excluded Assets**

1. Plaquemine Bank Stock
2. Cash on hand or in accounts
3. Bank Accounts
4. Steam Vessel Lunga Point
5. Accounts Receivable
6. Vessel – PTC 103

## Attachment 4



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

## Invoice

Date	Invoice #
10/20/2009	58614

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

*OFFSET TO  
CCL Invoices  
\$ 13,925.71*

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/12/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
1.25	Loading demurrage @ \$70.00 per hour		70.00	87.50	
	14.5% Fuel Surcharge		135.94	135.94	
5,552	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90737	0.09	499.68	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90745	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90752	0.09	450.00	
	1.1% Energy Surcharge		15.40	15.40	
	1% Compliance Fee		45.95	45.95	
We appreciate your business!			<b>Subtotal</b>	\$4,641.27	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,641.27	

*Paid via ACH to Plaquemine Point Shipyard LLC*

*Balance before invoice: \$15,710.00*

*Balance after invoice: \$11,068.73*

X *[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/20/2009	58615

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/13/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90739	0.09	468.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90746	0.09	450.00	
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90753	0.09	450.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.43	44.43	
We appreciate your business!			Subtotal	\$4,487.49	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)	\$0.00	
			Total	\$4,487.49	

Paid via check to Plaquemine Point Shipyard LLC

Balance before invoice \$ 11,068.73

Balance after invoice \$ 6581.24

x



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
10/20/2009	58616

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/14/09				
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90747	0.09	450.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90740	0.09	450.00	
	1.1% Energy Surcharge		9.90	9.90	
	1% Compliance Fee		28.56	28.56	
We appreciate your business!		Subtotal		\$2,884.96	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)		\$0.00	
		Total		\$2,884.96	

*Paid via offset to Plaquemine Point Shipyard LLC*

*Balance before invoice \$ 6581.24*

*Balance after invoice \$ 3696.28*

X

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/20/2009	58617

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/15/09				
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90755	0.09	450.00	
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90748	0.09	450.00	
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90741	0.09	468.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.03	44.03	
We appreciate your business!		<b>Subtotal</b>		\$4,447.02	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$0.00	
		<b>Total</b>		\$4,447.02	

*Paid partially by Offset to Plaquemine Point Shipyard LLC*

*Balance before invoice \$ 2696.28*

*Balance after invoice \$ 0.00 ; Balance due to CES: \$ 750.74, paid in cash on 4/1/10*

*[Signature]*



**SERVICE AND PAYMENT  
AGREEMENT**

This SERVICE AND PAYMENT AGREEMENT (this "**Agreement**") is made and entered into effective as of 1<sup>st</sup> day of October, 2009 (the "**Effective Date**"), by and between **CHEM CARRIERS, L.L.C.**, a Louisiana limited liability company (hereinafter referred to as "**Chem Carriers**") and **CES ENVIRONMENTAL SERVICES, INC.**, a Texas corporation (hereinafter referred to as "**CES**").

**RECITALS**

**WHEREAS**, CES currently owes Chem Carriers an outstanding indebtedness of THREE HUNDRED THIRTY-THREE THOUSAND FIVE HUNDRED FIFTY-ONE AND 82/100 DOLLARS (\$333,551.82), which sum includes interest calculated through February 1, 2010 and which sum continues to accrue daily at an interest rate of SEVEN PERCENT (7%) (the "**Indebtedness**");

**AND WHEREAS**, CES has been and is providing environmental cleanup services in connection with the removal of waste water from certain barges and other vessels located at Plaquemine Point Shipyard ("**Environmental Services**"), which (after offset of agreed amounts payable from CES to Plaquemine Point, currently approximate the sum of One Hundred Thirty Six Thousand Five Hundred Ninety-Six and 96/100 Dollars (\$136,596.96) of Environmental Services to date, as represented by CES Invoices 58618, 58656 through 58658, 58675, 58676, 58903, 58955, 59137 and 59138, 59211 – 59215, 59275 – 59277, and 59345 ("**Invoices**"), copies of which are attached hereto as **Exhibit A**, and made parts hereof;

**AND WHEREAS**, Chem Carriers has entered a transaction with Plaquemine Point Shipyard, whereby Chem Carriers acquired ownership of said barges and other vessels located at the shipyard together with liabilities of Plaquemine Point Shipyard associated therewith;

**AND WHEREAS**, CES and Chem Carriers (collectively the "**Parties**", or each a "**Party**") both desire that a portion of the \$136,596.96 of costs and invoices related to the previously performed Environmental Services, shall be used as a credit to offset a portion of the Indebtedness, as provided herein below, desire that FIFTY PERCENT (50%) of the future Environmental Services performed by CES related to said barges and vessels shall also be used as a credit to offset a portion of the Indebtedness.

**NOW, THEREFORE**, in consideration of the foregoing recitals and the following agreements and releases, together with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by CES and Chem Carriers, the Parties do hereby agree as follows:

## AGREEMENT

1. **INCORPORATION BY REFERENCE.** The foregoing recitals shall be incorporated by reference as provisions of this Agreement as if the full text of each of the foregoing recitals had been written out in its entirety in this portion of the Agreement.
2. **OFFSET OF PRIOR ENVIRONMENTAL SERVICES.** CES hereby reduces the amounts owed by Chem Carriers under the first ten (10) Invoices by the sum of \$97,347.70, as payment thereof, in exchange for an equal offset of \$97,347.70 credited toward the Indebtedness. Accordingly, Chem Carriers hereby accepts from CES, as partial payment of the Indebtedness, said credit. The Parties further agree that Chem Carriers shall pay CES in cash the remaining FORTY THOUSAND AND 00/100 DOLLARS (\$39,249.26) owed to CES by Chem carriers, as represented by the nine (9) most current Invoices.
3. **OFFSET OF FUTURE ENVIRONMENTAL SERVICES.** CES does hereby agree to reduce future amounts owed by Chem Carriers for Environmental Services related to said barges and other vessels located at Plaquemine Point Shipyard (the "**Barges and Other Vessels**"), by a sum of money equaling the gross profit on the invoice (total invoice less CES' direct cost including but not limited to transportation, labor, and disposal) for any such Environmental Services, as reflected on any such future invoice therefore ("**Cost Reduction**"), in exchange for an equal offset credited toward the Indebtedness. The Parties further agree that Chem Carriers shall pay CES, cash, within 7 days of invoice, the remaining amount of any such future amounts owed by Chem Carriers to CES for Environmental Services related to the Barges and Other Vessels.
4. **ENVIRONMENTAL SERVICES.**
  - a. The Environmental Services to be provided by CES under this Agreement in connection with the Barges and Other Vessels shall include, without limitation, the (i) removal of waste water and other environmentally hazardous contents contained on the Barges and Other Vessels (collectively referred to as "**Contaminants**"); and (ii) necessary treatment and disposal of any and all such Contaminants so removed by CES from the Barges and Other Vessels.
  - b. CES agrees that the treatment and disposal of all Contaminants, as described hereinabove, shall occur contemporaneously with the removal thereof. For purposes of this Agreement, "contemporaneous" shall mean within seven (7) calendar days from the date CES removes any such Contaminants from the Barges and Other Vessels.
5. **TERMINATION.** The duties and obligations provided hereunder shall terminate upon the earlier occurrence of the (i) expiration of this Agreement upon the complete removal and treatment by CES of Contaminants from the Barges and Other Vessels; or (ii) termination

of this Agreement at the option of Chem Carriers, exercisable in Chem Carrier's sole and absolute discretion.

6. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which shall together constitute one and the same instrument.
7. **GOVERNING LAW.** This document shall be governed by the laws of the State of Louisiana.

**THUS DONE AND SIGNED** in the Parish of Iberville, State of Louisiana, on this \_\_\_\_ day of April 2010, but effective as written above.

CHEM CARRIERS, LLC:

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THUS DONE AND SIGNED** in the County of Harris, State of Texas,  
on this 7 day of April 2010, but effective as written above.

CES ENVIRONMENTAL SERVICES, INC.:

By: Greg Dolman  
Printed Name: Dolman  
Title: Officer, CES Environmental  
Services, Inc.

ACKNOWLEDGEMENT

STATE OF LOUISIANA

PARISH OF \_\_\_\_\_

Before me on this \_\_\_\_\_ day of April \_\_\_\_\_, 2010, in the presence of the two undersigned, competent witnesses, came and appeared \_\_\_\_\_, who is personally known to me or has produced a driver's license as identification and did acknowledge that he has executed the foregoing Service and Payment Agreement, effective dated as of April \_\_\_\_\_, 2010.

WITNESSES:

PARTY:

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Printed Name: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

Bar Roll No.: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



# Exhibit A to Attachment 5



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

## Invoice

Date	Invoice #
10/20/2009	58618

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

*\$ 97,534.97 TOTAL INVOICE*

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/16/09				
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90749	0.09	450.00	
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
1.25	Loading demurrage @ \$70.00 per hour		70.00	87.50	
	14.5% Fuel Surcharge		135.94	135.94	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90756	0.09	450.00	
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90742	0.09	468.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.63	44.63	
We appreciate your business!			Subtotal	\$4,507.73	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)	\$0.00	
			Total	\$4,507.73	

Paid via check to Chem Carriers LLC  
Balance before invoice \$ 333,551.82  
Balance after invoice \$ 329,044.09

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/23/2009	58656

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/19/09				
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90750	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90757	0.09	450.00	
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90743	0.09	468.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.23	44.23	
We appreciate your business!			<b>Subtotal</b>	\$4,467.25	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,467.25	

Paid via offset to Chem Carriers LLC

Balance before offset: \$ 329,044.09

Balance after invoice: \$ 324,576.84

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/23/2009	58657

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/20/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90744	0.09	468.00	
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90751	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
1.5	Loading demurrage @ \$70.00 per hour		70.00	105.00	
	14.5% Fuel Surcharge		138.48	138.48	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90754	0.09	450.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		45.03	45.03	
We appreciate your business!			<b>Subtotal</b>	\$4,548.21	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,548.21	

*Paid via offset to Chem Carriers LLC*

*Balance before offset: \$324,576.84*

*Balance after offset: \$320,028.63*

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/23/2009	58658

Bill To: Chem Carriers, LLC  
Attn: Robert Bania  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/21/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90955	0.09	468.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90968	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
2	Loading demurrage @ \$70.00 per hour		70.00	140.00	
	14.5% Fuel Surcharge		143.55	143.55	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90969	0.09	450.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		45.03	45.03	
We appreciate your business!			<b>Subtotal</b>	\$4,548.21	
Late Payment Policy: Any unpaid balances begining on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,548.21	

Paid via offset to Chem Carriers, LLC  
Balance before invoice: \$ 320,028.63  
Balance after offset: \$ 315,480.42



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
10/28/2009	58675

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/22/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90972	0.09	468.00	
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91236 replaces 90970	0.11	550.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
1.25	Loading demurrage @ \$70.00 per hour		70.00	87.50	
	14.5% Fuel Surcharge		135.94	135.94	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91237 replaces 90971	0.11	550.00	
	1.1% Energy Surcharge		17.25	17.25	
	1% Compliance Fee		46.85	46.85	
We appreciate your business!		<b>Subtotal</b>		\$4,732.20	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$0.00	
		<b>Total</b>		\$4,732.20	

*Paid via a/c to Chem Carriers LLC*

*Balance before invoice: \$ 315,480.42*

*Balance after invoice \$ 310,748.22*

*[Signature]*





**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
10/28/2009	58676

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/23/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,200	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH > 12.5)	BOL 91238 replaces 90973	0.11	572.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90974	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
1.75	Loading demurrage @ \$70.00 per hour		70.00	122.50	
	14.5% Fuel Surcharge		141.01	141.01	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH > 12.5)	BOL 91239 replaces 90975	0.11	550.00	
	1.1% Energy Surcharge		47.29	47.29	
	1% Compliance Fee			0.00	
We appreciate your business!			<b>Subtotal</b>	\$4,759.46	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,759.46	

*Paid via check to Chem Carriers LLC*  
*Balance before invoice \$ 310,748.22*  
*Balance after invoice \$ 305,988.76*

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
12/3/2009	58903

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91787	0.11	550.00	
	11/24/09				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
2	Loading demurrage @ \$70.00 per hour		70.00	140.00	
	15.5% Fuel Surcharge		285.20	285.20	
5,200	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91883	0.11	572.00	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91882	0.11	550.00	
	11/25/09				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	15.5% Fuel Surcharge		137.18	137.18	
5,200	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91885	0.11	572.00	
	1% Energy Surcharge		39.38	39.38	
	1% Compliance Fee		111.93	111.93	
We appreciate your business!		<b>Subtotal</b>		\$11,305.19	
Late Payment Policy: Any unpaid balances begining on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$0.00	
		<b>Total</b>		\$11,305.19	

*Paid via offset to Chem Carriers LLC*

*Balance before invoice \$ 305,988.76 Page 2*

*Balance after invoice \$ 294,683.57*

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
12/3/2009	58903

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	11/18/09				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	15.5% Fuel Surcharge		137.18	137.18	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91763	0.11	550.00	
	11/19/09				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	15.5% Fuel Surcharge		137.18	137.18	
5,200	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91784	0.11	572.00	
	11/23/09				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	15.5% Fuel Surcharge		271.64	271.64	
5,200	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon (pH >12.5)	BOL 91785	0.11	572.00	
We appreciate your business!		Subtotal			
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)			
		Total			

*Paid via ACH, see page 2*

# CES Environmental Services, Inc.

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

## Invoice

Date	Invoice #
12/9/2009	58955

Bill To
Chem Carriers, LLC Attn: Robert Banta 1247 Hwy 75 Brookewood Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Ticket #	Rate	Amount	
	11/25/09				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	15.5% Fuel Surcharge		137.18	137.18	
5,000	Management of corrosive liquid (sodium hydroxide, hydrocarbons) @ \$0.11 per gallon	BOL 91884	0.11	550.00	
	1% Energy Surcharge		5.50	5.50	
	1% Compliance Fee		15.78	15.78	
We appreciate your business!		<b>Subtotal</b>		\$1,593.46	
Late Payment Policy: Any unpaid balances after 30 days will accrue a monthly interest rate of 1.5%.		<b>Sales Tax (8.25%)</b>		\$0.00	
This trailer/equipment has been inspected by customer and thus is clean and ready for re-use. CES shall not be liable for consequential and/or incidental damages.		<b>Total</b>		\$1,593.46	

*Paid via offset to Chem Carriers LLC*

*Balance before invoice \$ 294,683.57*

*Balance after invoice \$ 293,090.11*

1



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/27/2010	59211

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

*\$ 38,448.50  
WIRE #40,000.00*

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/19/10				
3	Transportation services by CES @ \$850.00 per load		850.00	2,550.00	
4.25	Loading demurrage @ \$70.00 per hour		70.00	297.50	
	17% Fuel Surcharge		484.08	484.08	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93017	0.09	468.00	
5,200	Phenol 20 ppm surcharge @ \$0.03 per gallon		0.03	156.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93018	0.09	450.00	
5,000	Phenol 25 ppm surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	TOC 13,280 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93019	0.09	450.00	
5,000	Phenol 20 ppm surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	TOC 12,820 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		20.52	20.52	
	1% Compliance Fee		54.76	54.76	
We appreciate your business!			Subtotal	\$5,530.86	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)	\$0.00	
			Total	\$5,530.86	

*paid in cash 4/1/10*

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/27/2010	59212

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/20/10				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
1.25	Loading demurrage @ \$70.00 per hour		70.00	87.50	
	17% Fuel Surcharge		303.88	303.88	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93020	0.09	450.00	
5,000	Phenol 75 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 13,100 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93022	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 14,010 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		13.50	13.50	
	1% Compliance Fee		37.05	37.05	
We appreciate your business!			<b>Subtotal</b>	\$3,741.93	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$3,741.93	

Paid in cash on 4/1/10



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
1/27/2010	59213

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/21/10				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
2	Loading demurrage @ \$70.00 per hour		70.00	140.00	
	17% Fuel Surcharge		312.80	312.80	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93021	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 12,340 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93023	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 13,490 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		13.50	13.50	
	1% Compliance Fee		37.66	37.66	
We appreciate your business!			<b>Subtotal</b>	\$3,803.96	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$3,803.96	

paid in cash on 4/1/10

x.



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/27/2010	59214

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/22/10				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
	17% Fuel Surcharge		289.00	289.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93026	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 10,140 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93027	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 11,160 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		13.50	13.50	
	1% Compliance Fee		36.03	36.03	
We appreciate your business!			<b>Subtotal</b>	\$3,638.53	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$3,638.53	

*Paid in cash on 4/1/10*

*[Signature]*





**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/27/2010	59215

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/25/10				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
	17% Fuel Surcharge		144.50	144.50	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93251	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 11,810 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		6.75	6.75	
	1% Compliance Fee		18.01	18.01	
We appreciate your business!			<b>Subtotal</b>	\$1,819.26	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$1,819.26	

Paid in cash on 4/1/10

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
2/4/2010	59275

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/25/10				
1	Transportation services by CES @ \$850.00 per load		850.00	850.00	
	17% Fuel Surcharge		144.50	144.50	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93252	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 14,730 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		6.75	6.75	
	1% Compliance Fee		18.01	18.01	
We appreciate your business!			<b>Subtotal</b>	\$1,819.26	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$1,819.26	

Paid in cash on 4/1/10

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
2/4/2010	59276

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/26/10				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
	17% Fuel Surcharge		289.00	289.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93254	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 11,570 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93289	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 15,553 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		13.50	13.50	
	1% Compliance Fee		36.03	36.03	
We appreciate your business!		<b>Subtotal</b>		\$3,638.53	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$0.00	
		<b>Total</b>		\$3,638.53	

Paid in cash on 4/1/10

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
2/4/2010	59277

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	1/27/10				
2	Transportation services by CES @ \$850.00 per load		850.00	1,700.00	
	17% Fuel Surcharge		289.00	289.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93256	0.09	450.00	
5,000	Phenol 50 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 16,290 surcharge @ \$0.03 per gallon		0.03	150.00	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 93255	0.09	450.00	
5,000	Phenol 75 ppm surcharge @ \$0.04 per gallon		0.04	200.00	
5,000	TOC 11,400 surcharge @ \$0.03 per gallon		0.03	150.00	
	1.5% Energy Surcharge		13.50	13.50	
	1% Compliance Fee		36.03	36.03	
We appreciate your business!		<b>Subtotal</b>		\$3,638.53	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$0.00	
		<b>Total</b>		\$3,638.53	

Paid in cash on 4/1/10

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59137

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/7/09 Fee for sampling, delivery, and analyticals of class 1 sludge		375.00	375.00	
1	11/2/09 Transportation services by CES to deliver vacuum box #VB25111 15.5% Fuel Surcharge		975.00 151.13	975.00 151.13	
1	11/6/09 Transportation services by CES @ \$975.00 per load 15.5% Fuel Surcharge		975.00 151.13	975.00 151.13	
15	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5793376JJK	85.00	1,275.00	
1	Greater than 10% free liquids surcharge @ \$500.00 per box		500.00	500.00	
1	11/6/09 Transportation services by CES @ \$975.00 per load 15.5% Fuel Surcharge		975.00 151.13	975.00 151.13	
15	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5793379JJK	85.00	1,275.00	
We appreciate your business!			Subtotal		
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)		
			Total		

*\*Paid via offset to Chem Carriers LLC  
See page 5*



4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59137

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	11/10/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
17	Disposal of Non-RCRA material (class 1 sludge)	5793408JJK	85.00	1,445.00	
	@ \$85.00 per yd				
1	Greater than 10% free liquids surcharge @ \$500.00 per box		500.00	500.00	
	11/11/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
10	Disposal of Non-RCRA material (class 1 sludge)	5793412JJK	85.00	850.00	
	@ \$85.00 per yd				
	11/12/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
15	Disposal of Non-RCRA material (class 1 sludge)	5793423JJK	85.00	1,275.00	
	@ \$85.00 per yd				
1	Greater than 10% free liquids surcharge @ \$500.00 per box		500.00	500.00	
We appreciate your business!		Subtotal			
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)			
		Total			



4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59137

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	11/13/09				
1	Transportation services by CES to return empty box -- No load available upon arrival, no cancellation notification	5793437JJK	975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
	11/16/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd		85.00	850.00	
	11/16/09				
1	Transportation services by CES @ \$975.00 per load	5793438JJK	975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd		85.00	850.00	
	11/17/09				
1	Transportation services by CES to return empty box -- No load available upon arrival, no cancellation notification		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
We appreciate your business!		Subtotal			
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)			
		Total			



4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59137

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	11/19/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5793463JJK	85.00	850.00	
	11/20/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
15	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5793470JJK	85.00	1,275.00	
	11/24/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	15.5% Fuel Surcharge		151.13	151.13	
15	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5793489JJK	85.00	1,275.00	
1	Washout of vacuum box #VB25111		275.00	275.00	
7	Labor - Digout of sludge vacuum box #VB25111 2 men at 3.5 hrs each @ \$35.00 per man / per hour		35.00	245.00	
We appreciate your business!		Subtotal			
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)			
		Total			





4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59137

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
3	Disposal of 3 yds Heel from digout @ \$85.00 per yd 11/24/09	5793488JJK	85.00	255.00	
1	Transportation services by CES @ \$975.00 per load 15.5% Fuel Surcharge		975.00 151.13	975.00 151.13	
15	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd 11/25/09		85.00	1,275.00	
1	Transportation services by CES to return empty box -- No load available upon arrival, no cancellation notification 15.5% Fuel Surcharge		975.00 151.13	975.00 151.13	
29	Rental of vacuum box #VB25111 from 11/2 - 11/30/09 @ \$55.00 per day		55.00	1,595.00T	
25	Rental of vacuum box #VB25107 from 11/6 - 11/30/09 @ \$55.00 per day		55.00	1,375.00T	
25	Rental of vacuum box #VB2566 from 11/6 - 11/30/09 @ \$55.00 per day		55.00	1,375.00T	
	1% Compliance Fee		370.62	370.62	
We appreciate your business!			Subtotal		\$36,752.57
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)		\$358.46	
		Total		\$37,111.03	

*Paid via offset to Chem Carriers LLC*

*Balance before invoice: \$1293,090.11* Page 6

*Balance after invoice \$1255,651.33*

X



4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

## Invoice

Date	Invoice #
1/18/2010	59138

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
1	12/1/09 Transportation services by CES @ \$975.00 per load	5799522JJK	975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd		85.00	850.00	
1	12/1/09 Transportation services by CES @ \$975.00 per load	5799523JJK	975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd		85.00	850.00	
1	12/8/09 Transportation services by CES @ \$975.00 per load	5799576JJK	975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd		85.00	850.00	
We appreciate your business!		Subtotal			
Late Payment Policy: Any unpaid balances begining on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)			
		Total			

*Partially*  
*paid via check to Chem Carriers LLC*  
*See page 3*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
1/18/2010	59138

Bill To: Chem. Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	12/16/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5799615JJK	85.00	850.00	
	12/17/09				
1	Transportation services by CES to return empty box -- No load available upon arrival, no cancellation notification		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
	12/18/09				
1	Transportation services by CES to return empty box -- No load available upon arrival, no cancellation notification		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
	12/21/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5799643JJK	85.00	850.00	
We appreciate your business!			Subtotal		
Late Payment Policy: Any unpaid balances begining on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)		
			Total		



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
1/18/2010	59138

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	12/21/09				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
10	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5799642JJK	85.00	850.00	
31	Rental of vacuum box #VB25111 from 12/1 - 12/31/09 @ \$55.00 per day (still on rent)		55.00	1,705.00T	
31	Rental of vacuum box #VB25107 from 12/1 - 12/31/09 @ \$55.00 per day (still on rent)		55.00	1,705.00T	
31	Rental of vacuum box #VB2566 from 12/1 - 12/31/09 @ \$55.00 per day (still on rent)		55.00	1,705.00T	
	1% Compliance Fee		199.24	199.24	
We appreciate your business!		<b>Subtotal</b>		\$19,540.24	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		<b>Sales Tax (8.25%)</b>		\$421.99	
		<b>Total</b>		\$19,962.23	

Invoice partially paid in cash in amount of \$4664.89

Invoice partially paid by offset to Chem Carriers LLC

Balance before invoice \$ 255657.33 Page 3

Balance after offset \$ 236,204.12 plus interest at 7% from February 1, 2010 until paid in full

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date:	Invoice #
2/15/2010	59345

Bill To: Chem Carriers, LLC  
Attn: Robert Banta  
1247 Hwy 75 Brookewood  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	12/9/09				
1	Washout Vacuum Box #25111		275.00	275.00	
	1/4/10				
2	Transportation services by CES to return vacuum box #VB25107 & 2566		975.00	1,950.00	
	17% Fuel Surcharge		331.50	331.50	
	1/19/10				
1	Transportation services by CES @ \$975.00 per load		975.00	975.00	
	17% Fuel Surcharge		165.75	165.75	
17	Disposal of Non-RCRA material (class 1 sludge) @ \$85.00 per yd	5799851JJK	85.00	1,445.00	
31	Rental of vacuum box #VB25111 from 1/1 - 31/10 @ \$55.00 per day		55.00	1,705.00T	
31	Rental of vacuum box #VB25107 from 1/1 - 31/10 @ \$55.00 per day		55.00	1,705.00T	
31	Rental of vacuum box #VB2566 from 1/1 - 31/10 @ \$55.00 per day		55.00	1,705.00T	
	1% Compliance Fee		108.40	108.40	
We appreciate your business!			<b>Subtotal</b>	\$10,365.65	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$421.99	
			<b>Total</b>	\$10,787.64	

*Paid in cash on 4/1/10*

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

**Invoice**

Date	Invoice #
10/20/2009	58614

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

*OFFSET TO  
OCL Invoices  
\$13,925.71*

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/12/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
1.25	Loading demurrage @ \$70.00 per hour		70.00	87.50	
	14.5% Fuel Surcharge		135.94	135.94	
5,552	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90737	0.09	499.68	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90745	0.09	450.00	
1	Transportation services by CES #282 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90752	0.09	450.00	
	1.1% Energy Surcharge		15.40	15.40	
	1% Compliance Fee		45.95	45.95	
We appreciate your business!			Subtotal	\$4,641.27	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)	\$0.00	
			Total	\$4,641.27	

*Paid via ACH to Plaquemine Point Shipyard LLC*

*Balance before invoice: \$15,110.00*

*Balance after invoice: \$11,068.73*

X



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/20/2009	58615

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/13/09				
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90739	0.09	468.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
1	Loading demurrage @ \$70.00 per hour		70.00	70.00	
	14.5% Fuel Surcharge		133.40	133.40	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90746	0.09	450.00	
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90753	0.09	450.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.43	44.43	
We appreciate your business!			Subtotal	\$4,487.49	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			Sales Tax (8.25%)	\$0.00	
			Total	\$4,487.49	

Paid via check to Plaquemine Point Shipyard LLC

Balance before invoice \$ 11,068.73

Balance after invoice \$ 6581.24

X

*[Signature]*



**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/20/2009	58616

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/14/09				
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90747	0.09	450.00	
1	Transportation services by CES #287 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90740	0.09	450.00	
	1.1% Energy Surcharge		9.90	9.90	
	1% Compliance Fee		28.56	28.56	
We appreciate your business!		Subtotal		\$2,884.96	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)		\$0.00	
		Total		\$2,884.96	

*Paid via offset to Plaquemine Point Shipyard LLC*

*Balance before invoice \$ 6581.24*

*Balance after invoice \$ 3696.28*

X





**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
10/20/2009	58617

Bill To: Plaquemine Point Shipyard  
1070 River Road  
Sunshine, LA 70780

		P.O. No.	Terms	Project	
			Net 30		
Quantity	Description	Manifest #	Rate	Amount	
	10/15/09				
1	Transportation services by CES #297 @ \$850.00 per load		850.00	850.00	
	14.5% Fuel Surcharge		123.25	123.25	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90755	0.09	450.00	
1	Transportation services by CES #290 @ \$850.00 per load		850.00	850.00	
0.75	Loading demurrage @ \$70.00 per hour		70.00	52.50	
	14.5% Fuel Surcharge		130.86	130.86	
5,000	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90748	0.09	450.00	
1	Transportation services by CES #298 @ \$850.00 per load		850.00	850.00	
0.5	Loading demurrage @ \$70.00 per hour		70.00	35.00	
	14.5% Fuel Surcharge		128.33	128.33	
5,200	Recycling of hydrocarbon and water mixture @ \$0.09 per gallon	BOL 90741	0.09	468.00	
	1.1% Energy Surcharge		15.05	15.05	
	1% Compliance Fee		44.03	44.03	
We appreciate your business!			<b>Subtotal</b>	\$4,447.02	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.			<b>Sales Tax (8.25%)</b>	\$0.00	
			<b>Total</b>	\$4,447.02	

*Paid partially by check to Plaquemine Point Shipyard LLC*

*Balance before invoice \$ 3696.28*

*Balance after invoice \$ 0.00 ; Balance due to CES: \$ 750.74, paid in cash on 4/1/10*

\*

*[Signature]*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

RECEIVED

15 MAY -4 PM 2: 17

FEB 27 2015

SUPERFUND DIV.  
DIRECTOR'S OFC.

**GENERAL NOTICE LETTER -- URGENT LEGAL MATTER**  
**PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 7978**  
**RETURN RECEIPT REQUESTED**

Plaquemine Point Shipyard, L.L.C.  
1237 Highway 75,  
Sunshine, Louisiana 70780

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in  
Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.- Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

**Explanation of Potential Liability**

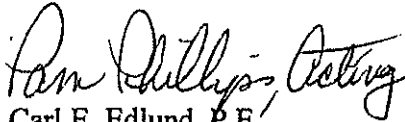
A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Carl E. Edlund, P.E.", with the word "Acting" written in a smaller, less legible script to the right of the main signature.

Carl E. Edlund, P.E.

Director

Superfund Division

Enclosures (4)

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

### **Site Background**

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

### **Response Actions to Date**

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

**ENCLOSURE 1**  
**GENERAL NOTICE REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

**NOTICE THAT YOU MAY BE LIABLE**

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

**BACKGROUND**

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

#### **Response Actions to Date**

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

#### **PARTICIPATION**

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

### OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

### FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

### RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at [www.epa.gov](http://www.epa.gov).

In addition, the EPA Small Business Ombudsman may be contacted at [www.epa.gov/sbo](http://www.epa.gov/sbo). Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

### YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below *within 60 calendar days after you receive this letter* to indicate your willingness to enter in good faith as a Settling Party. If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.

Your response to this letter should be directed to:

Mr. Robert Werner  
Enforcement Officer (6SF-TE)  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202  
Telephone: 214-665-6724, Fax: 214-665-6660  
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas  
Assistant Regional Counsel (6RC-S)  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202  
Telephone: 214-665-8063, Fax: 214-665-6460  
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.



**ENCLOSURE 2**  
**GENERAL NOTICE REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

**EVIDENTIARY DOCUMENTATION**

**SAMPLES OF EVIDENCE**

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.

**ENCLOSURE 3**  
**GENERAL NOTICE LETTER REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

**ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED**

The Lubrizol Corporation  
Advanced Aromatics, L.P  
AMTEX Machine Products, Inc.  
Andergauge Drilling Systems  
Arkema Inc.  
Ball Corporation  
Canrig Drilling Technology Ltd.  
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.  
Champion Technologies (Merged into Nalco Company)  
Citgo Petroleum Corporation (Citgo Refinery)  
Cross Oil & Refining & Marketing, Inc..  
Dover Corporation - Cook Compression (C Lee Cook)  
Evalca Company of America  
KMCO, Inc. (new name is Ramsey Properties, L.P.)  
PGI International. LTD (merged into Parker-Hannifin Corporation)  
Philip Reclamation Services Houston , LLC  
Plaquemine Point Shipyard, Sunshine, LA  
PPG Industries, Inc.  
Praxair, Inc.  
Proler Southwest  
Quest Chemical Corporation  
RasGas in Qatar @ KMTEX  
Sierra Chemical Corporation  
Skyhawk Chemicals, Inc.  
Smithfield BioEnergy, LLC  
Sun Coast Resources , Inc.  
T. T. Barge Mile (Barge Mile 183, 237)  
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])  
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])  
T.T. Barge (Mile 237)  
T3 Energy Services-Cypress  
Taber Extrusions  
Targa Midstream Services LP  
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube  
Texas Oil Tools, NOV (Conroe)

Texas Water Management

Total Petrochemicals, Inc. - Port Arthur

Transmontaing Product Service

Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)

ZaCh System Corporation (Ampac)

**ENCLOSURE 4**  
**GENERAL NOTICE LETTER REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

**SMALL BUSINESS RESOURCES FACT SHEET**



*Office of Enforcement and Compliance Assurance*  
**INFORMATION SHEET**

## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost effective ways to comply through the use of pollution prevention and other innovative technologies.

### Compliance Assistance Centers

([www.assistancecenters.net](http://www.assistancecenters.net))

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture  
([www.epa.gov/agriculture](http://www.epa.gov/agriculture) or 1-888-663-2155)

Automotive Recycling Industry  
([www.ecarcenter.org](http://www.ecarcenter.org))

Automotive Service and Repair  
([www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK)

Chemical Industry  
([www.chemalliance.org](http://www.chemalliance.org))

Construction Industry  
([www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911)

Education  
([www.campuserc.org](http://www.campuserc.org))

Healthcare Industry  
([www.hercenter.org](http://www.hercenter.org) or 1-734-995-4911)

Metal Finishing  
([www.nmfrc.org](http://www.nmfrc.org) or 1-734-995-4911)

Paints and Coatings  
([www.paintcenter.org](http://www.paintcenter.org) or 1-734-995-4911)

Printed Wiring Board Manufacturing  
([www.pwbrc.org](http://www.pwbrc.org) or 1-734-995-4911)

Printing  
([www.pneac.org](http://www.pneac.org) or 1-888-USPNEAC)

Transportation Industry  
([www.transource.org](http://www.transource.org))

Tribal Governments and Indian Country  
([www.epa.gov/tribal/compliance](http://www.epa.gov/tribal/compliance) or 202-564-2516)

US Border Environmental Issues  
([www.bordercenter.org](http://www.bordercenter.org) or 1-734-995-4911)

The Centers also provide State Resource Locators ([www.envcap.org/statetools/index.cfm](http://www.envcap.org/statetools/index.cfm)) for a wide range of topics to help you find important environmental compliance information specific to your state.

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page  
[www.epa.gov](http://www.epa.gov)

Small Business Gateway  
[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

Compliance Assistance Home Page  
[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

Office of Enforcement and Compliance Assurance  
[www.epa.gov/compliance](http://www.epa.gov/compliance)

Voluntary Partnership Programs  
[www.epa.gov/partners](http://www.epa.gov/partners)



## U.S. EPA SMALL BUSINESS RESOURCES

### Hotlines, Helplines & Clearinghouses

([www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm))

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below.

Clean Air Technology Center  
([www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act  
([www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.  
([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers  
([www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse))

National Response Center to report oil and hazardous substance spills.  
([www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802)

Pollution Prevention Information Clearinghouse  
([www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799)

Safe Drinking Water Hotline  
([www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information  
([www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.  
(1-202-554-1404)

Wetlands Helpline  
([www.epa.gov/owow/wetlands/wetline.html](http://www.epa.gov/owow/wetlands/wetline.html) or 1-800-832-7828)

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman  
([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

Small Business Environmental Homepage  
([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org) or 1-724-452-4722)

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy  
([www.epa.gov/compliance/incentives/smallbusiness](http://www.epa.gov/compliance/incentives/smallbusiness))

Audit Policy  
([www.epa.gov/compliance/incentives/auditing](http://www.epa.gov/compliance/incentives/auditing))

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*

**PLAQUEMINE POINT SHIPYARD**1070 River Rd.  
Sunshine, LA 70780Voice: 225-642-5376  
Fax: 225-642-7756

*Invoice in  
dispute -  
pricing should be  
\$150/EA  
Will you credit or  
do we short pay?*

Invoice Number: 3142  
Invoice Date: 10/31/08  
Page: 1

Duplicate

*Faxed 11/2/08***Bill To:**CES Environmental Services, Inc.  
4904 Griggs  
Houston, TX 77021

Customer ID: 15-30009

**RECEIVED**  
DEC 26 2008

BY: \_\_\_\_\_

Customer PO	Payment Terms	Sales Rep ID	Due Date
	Net 30 Days		11/30/08

Description	Amount
PROVIDE ACCESS AND ASSISTANCE TO OFF LOAD BARGE CCL 7 ONTO TRUCKS	20,400.00
68 TRUCKS @ \$350.00/EA	510.00
SHIPBUILDERS INSURANCE SURCHARGE	

*Should Be \$150/Truck**- 10,200.00*

*Short Pay  
see attached*

**PAST DUE****POSTED**  
3-10-09*10,710.00*

Subtotal	20,910.00
Sales Tax	
Total Invoice Amount	20,910.00
Payment/Credit Applied	
<b>TOTAL</b>	<del>20,910.00</del>

*10,710.00*

Check/Credit Memo No:

EPAHO035001537

1070 River Rd.  
Sunshine, LA 70780

**Fax: 225-642-7756**

Page: 1

**CES Environmental Services, Inc.**  
4904 Griggs  
Houston, TX 77021

BY \_\_\_\_\_

<b>Customer PO</b>	<b>Payment Terms</b>	<b>Sales Rep ID</b>	<b>Due Date</b>
	Net 30 Days		11/30/08

Subtotal	20,910.00
Sales Tax	
Total Invoice Amount	20,910.00
Payment/Credit Applied	
<b>TOTAL</b>	<b>20,910.00</b>

EPAHQ035001538





# INVOICE

PLEASE REMIT TO:  
For check payments:  
PO Box 2227  
Cairo Stream, IL 60132-2227

For wire transfers:  
Citibank - New Castle, Delaware  
Account # 3870-8308  
ABA #031100209

INVOICE DATE: 10/15/2008  
INVOICE NUMBER: 555152

RECEIVED  
OCT 21 2008

00007269  
CES ENVIRONMENTAL SERVICES INC  
ATTN: ACCOUNTS PAYABLE  
4904 GRIGGS RD  
HOUSTON TX 77021

BY: \_\_\_\_\_

WKSHT #: 1073759

PO# 373 029

M/V: \_\_\_\_\_

BARGES: CCL 7

LOCATION: PLAQUEMINE POINT SHIPYARD, SUNSHINE, LA

PRODUCTS: SULFIDIC CAUSTIC (SPENT) (H2S)

STARTED LOADING: 0:00 OR UNLOADING: 10/04/2008 5:50

FINISHED LOADING: 0:00 OR UNLOADING: 10/04/2008 11:10

HOSE CONNECTED: 10/04/2008 5:30 DISCONNECTED: 10/04/2008 15:45

VAPOR HOSE CONNECTED: 0:00 DISCONNECTED: 10/04/2008 0:00

FWD PORT:

FWD STB:

AFT PORT:

AFT STB:

MAN ARRIVED: 10/04/2008 4:00 LEFT: 10/04/2008 16:30

TOTAL HOURS: 12.50

## OTHER INFO:

### DELAYS:

0400-0530 WAITING ON DOCKMAN

1110-1545 WAITING FOR TRUCKS THAT NEVER CAME BACK

### CHARGES:

1ST 8 HOURS @ 518.00

518.00

4.50 HOURS @ 76.50

344.25

MILEAGE

48.15

RESPIRATORY AIR EQUIPMENT

151.64

=====

\$ 1,062.04

POSTED

NET 30 DAYS

ID # 13-3041390

SGS Petroleum Service Corporation | 725 Main St., 70802 • P.O. Box 3517, Baton Rouge LA 70821-3517 • t (225) 343-8262 • f (225) 383-5431 • www.sgs.com

EPAHO022001616

Citgo Bay  
CCL7  
Tom  
10/4/08



# INVOICE

PLEASE REMIT TO:  
For check payments:  
PO Box 2227  
Carol Stream, IL 60132-2227

For wire transfers:  
Citibank - New Castle, Delaware  
Account # 3870-8308  
ABA #031100208

INVOICE DATE..... 10/15/2008  
INVOICE NUMBER..... 555154

g✓

00007269  
CES ENVIRONMENTAL SERVICES INC  
ATTN: ACCOUNTS PAYABLE  
4904 GRIGGS RD  
HOUSTON TX 77021

WKSHT #: 1073797

PO# 373 029

M/V.....  
BARGES..... CCL 7  
LOCATION..... PLAQUEMINE POINT SHIPYARD, SUNSHINE, LA  
PRODUCTS..... SULFIDIC CAUSTIC (SPENT) (H2S)  
STARTED LOADING..... 0:00 OR UNLOADING: 10/06/2008 6:07  
FINISHED LOADING..... 0:00 OR UNLOADING: 10/06/2008 16:00  
HOSE CONNECTED: 10/06/2008 6:05 DISCONNECTED: 10/06/2008 16:05  
VAPOR HOSE CONNECTED: 0:00 DISCONNECTED: 10/06/2008 0:00

FWD PORT:  
AFT PORT:

FWD STB:  
AFT STB:

MAN. ARRIVED: 10/06/2008 5:30  
TOTAL HOURS: 11.25

LEFT: 10/06/2008 16:45

## OTHER INFO:

CHARGES:	
1ST 8 HOURS @ 518.00	518.00
3.25 HOURS @ 76.50	248.63
MILEAGE	48.15
RESPIRATORY AIR EQUIPMENT	151.64
	=====
	\$ 966.42

*Citgo Barge  
CCL7  
Tankerman  
10/6/08*



**POSTED**  
10-20-08

NET 30 DAYS

ID # 13-3041390

SGS Petroleum Service Corporation | 725 Main St., 70802 • P.O. Box 3517, Baton Rouge LA 70821-3517 • t (225) 343-8282 • f (225) 383-5431 • www.sgs.com

EPAHO022001614



# INVOICE

PLEASE REMIT TO:  
For check payments:  
PO-Box 2227  
Carol Stream, IL 60132-2227

For wire transfers:  
Citibank - New Castle, Delaware  
Account # 3870-8308  
ABA #031100209

INVOICE DATE..... 10/09/2008  
INVOICE NUMBER..... 554479

00007269  
CES ENVIRONMENTAL SERVICES INC  
ATTN: ACCOUNTS PAYABLE  
4904 GRIGGS RD  
HOUSTON TX 77021

WKSHT #: 1073171

PO# 373 029

M/V.....

BARGES..... CCL 7

LOCATION..... PLAQUEMINE POINT SHIPYARD, SUNSHINE, LA

PRODUCTS..... SULFIDIC CAUSTIC (SPENT) (H2S)

STARTED LOADING..... 0:00 OR UNLOADING: 10/01/2008 15:05

FINISHED LOADING..... 0:00 OR UNLOADING: 10/01/2008 24:00

HOSE CONNECTED: 10/01/2008 15:00 DISCONNECTED: 10/02/2008 0:05

VAPOR HOSE CONNECTED: 0:00 DISCONNECTED: 10/01/2008 0:00

FWD PORT:  
AFT PORT:

FWD STB:  
AFT STB:

MAN ARRIVED: 10/01/2008 14:15  
TOTAL HOURS: 10.75

LEFT: 10/02/2008 1:00

## OTHER INFO:

### DELAYS:

10/1 1700-2330 WAITING ON TRUCKS TO RETURN

### CHARGES:

1ST 8 HOURS @ 518.00

2.75 HOURS @ 76.50

MILEAGE

RESPIRATORY AIR EQUIPMENT

**POSTED**  
10-15-08

518.00

210.38

48.15

40.53

=====

\$ 817.06

*Citgo Barge  
CCL 7  
Tankerman  
10/1*



NET 30 DAYS

ID # 13-3041391

SGS Petroleum Service Corporation | 725 Main St., 70802 • P.O. Box 3517, Baton Rouge LA 70821-3517 • t (225) 343-8262 • f (225) 383-5431 • www.sgs.com

ORIGINAL COPY

EPAHQ022001617

CERTIFIED MAIL™



7013 0600 0001 7997 4307



neopost

049J820512

\$09.50

05/01/2015

Mailed From 70  
US POSTA

From

**PHELPS DUNBAR**  
LLP

II City Plaza | 400 Convention Street, Suite 1100  
Baton Rouge, Louisiana 70802-5618  
225-346-0285  
FAX: 225-381-9197

14408-3

Mr. Robert Werner  
Enforcement Officer (6SF-TE)  
U. S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, TX 75202

SF-TE

Location:  
SUPERFUND

Sender:  
PHELPS DUNBAR LLP.

05/04/15 12:04

1 of 1



050426120416